

REMARKS

By this Amendment, Applicant has canceled claims 6, 12, 16, and 19, without prejudice or disclaimer of the subject matter contained therein; amended claims 1, 5, 7, 11, 13, and 17, to further define aspects consistent with features of the invention; and added new claims 20-23, to claim additional aspects consistent with features of the invention. No new matter has been added.

In the last Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,029,141 ("*Bezos*").

CLAIMS 1-19

Applicant has canceled claims 6, 12, 16, and 19, without prejudice or disclaimer of the subject matter contained therein. Applicant reserves the right to pursue the subject matter recited in canceled claims 6, 12, 16, and 19, at a later time, in the present application, or in another application, such as a continuation, a continuation-in-part, or separate application.

Applicant respectfully traverses the rejection of independent claims 1, 7, 13, and 17. In the interest of advancing the prosecution of this application, however, Applicant has amended independent claims 1, 7, 13, and 17 to further define aspects consistent with features of the invention. In general, claims 1, 7, 13, and 17 recite that one can opt-in for delivery of or subscribe to receive an ezine containing an ad, from a plurality of available ezines. *Bezos* fails to expressly or inherently teach at least this element of independent claims 1, 7, 13, and 17.

In contrast, *Bezos* merely discloses automated registration software that runs on a merchant web site 106 to allow entities to register as associates (Abstract and FIG. 2).

The registration process includes receiving an e-mail address for each associate (10:11-15). Merchant web site 106 uses the e-mail address to provide the associate with information about setting up the associate's web site 200, including instructions on how to create HTML documents with referral links (10:41-45 and "Event F" in FIG. 2). Following registration, the associate sets up web site 200 to distribute hypertextual catalog documents that include marketing information about selected products from merchant web site 106 (Abstract).

Accordingly, because *Bezos* fails to teach each and every element of independent claims 1, 7, 13, and 17, their rejection under 35 U.S.C. § 102(e) as anticipated by *Bezos* should be withdrawn. Further, the rejection of claims 2-5, 8-11, 14, 15, and 18 should also be withdrawn. Claims 2-5, 8-11, 14, 15, and 18 should be allowed at least by virtue of their dependence upon allowable independent claims 1, 7, 13, and 17, in addition to the patentable subject matter recited therein.

CLAIMS 20-23

Applicant has added new claims 20-23, to claim additional aspects consistent with features of the invention. No new matter has been added.

Claims 20-23 are allowable at least by virtue of their dependence upon allowable independent claims 1, 7, 13, and 17, in addition to the patentable subject matter recited therein.

CONCLUSION

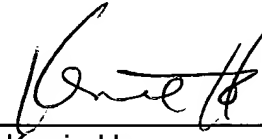
In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 8, 2005

By: 
Kenie Ho
Reg. No. 51,808